

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

RICK CRUZ-MANJARREZ,

04-CV-1811-AS

Plaintiff,

ORDER

v.

CITY OF PORTLAND, OFFICER
GORE, OFFICER PRESTON, OFFICER
JONES, OFFICER POOL, OFFICER
BAXTER, and DETECTIVE
HALLIBURTON,

Defendants.

RICK CRUZ-MANJARREZ
13787 S.W. Farmington Rd.
#178
Beaverton, OR 97005

Plaintiff, *Pro Se*

LINDA MENG
City Attorney
J. SCOTT MOEDE
Deputy City Attorney
1221 S.W. Fourth Avenue
Room 430
Portland, OR 97204
(503) 823-4047

Attorneys for Defendants

BROWN, Judge.

Magistrate Judge Donald Ashmanskas issued Findings and Recommendation (#82) on July 27, 2007, in which he recommended the Court grant Defendants' Renewed Motion for Summary Judgment and to Dismiss for Failure to State a Claim (#76) and dismiss this matter. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

In summary, the Court **ADOPTS** Magistrate Judge Ashmanskas's Findings and Recommendation (#82), **GRANTS** Defendants' Renewed Motion for Summary Judgment and to Dismiss for Failure to State a

Claim (#76), and **DISMISSES** this matter.

IT IS SO ORDERED.

DATED this 4th day of September, 2007.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge